



Certified Mail – Return Receipt Requested
Electronic mail: robyn@partnersinqualitycare.org
nconverse@weinhardtlaw.com

June 17, 2022

Robyn Tousignant
Interim Executive Director
Partners in Nutrition d/b/a Partners in Quality Care
1035 West 7th Street
St. Paul, MN 55102-3827

RE: Termination of CACFP Permanent Agreement and withholding of payments

Dear Ms. Tousignant:

On June 10, 2022, the Minnesota Department of Education (MDE) received an appeal request with a hearing from the Weinhardt Law Firm on behalf of Partners in Nutrition dba Partners in Quality Care (PIQC). The appeal challenges the decisions in MDE's May 27, 2022, letter to terminate PIQC's permanent agreement and withhold all payments under the Child and Adult Care Food Program (CACFP).

If Partners in Nutrition wishes to submit additional information in accordance with the appeal procedure it must be received no later than thirty (30) days after receipt of the notice of action, or by the end of business day on June 27, 2022. The additional information is to be submitted via SharePoint using a link provided by the appeals coordinator in a separate email. SharePoint Instructions for all external partners will be provided.

MDE will notify Partners in Nutrition of the hearing date and location at least ten (10) days before the hearing.

Partners in Nutrition will be notified of a decision by August 9, 2022. All questions involving this appeal must be directed to the Appeals Chair through the coordinator, [Allison Loomis](mailto:Allison.Loomis@state.mn.us) (Allison.Loomis@state.mn.us).

Sincerely,

A handwritten signature in black ink that reads 'Dr. Stephanie S. Burrage'.

Dr. Stephanie Burrage
Deputy Commissioner

Enc.: Appeal Procedure

Cc: Nathan Converse, Weinhardt Law Firm
Monica Herrera, Director of Nutrition Program Services
File

Ex. B

From: [Mark Weinhardt](#)
To: [Burrage, Stephanie \(MDE\)](#)
Cc: [Loomis, Allison \(MDE\)](#); [Nathan Converse](#)
Subject: MDE Notice of Hearing - PIQC: Request for continuance of 7/25/2022 hearing
Date: Thursday, July 14, 2022 8:15:36 AM
Attachments: [image001.png](#)

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Dr. Burrage,

I write regarding the notice of hearing on MDE's action purporting to terminate PIQC's CACFP Permanent Agreement and withhold funds from claims for reimbursement, sent on July 7, 2022. The notice indicates that a hearing on MDE's action is scheduled for July 25, 2022.

We respectfully ask that the hearing be rescheduled. I will be in the middle of a two-week federal jury trial on that date and my associate, Nathan Converse, will be preoccupied on another matter. Both Mr. Converse and I will be available from July 29 to August 4, 2022. Could the Appeal Panel reschedule the hearing to another time within that date range? We recognize that rescheduling the hearing would affect the Appeal Panel's 60-day deadline by which to issue a decision in this matter and would be agreeable to an extension of that deadline by the appropriate number of days necessary to accommodate our request.

Best regards,
Mark Weinhardt



Mark Weinhardt / [The Weinhardt Law Firm](#)
2600 Grand Avenue, Suite 450, Des Moines, IA 50312
Phone: (515) 564-5270
[E-mail](#) | [Bio](#)

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Certified Mail – Return Receipt Requested

Email: robyn@partnersinqualitycare.org

mweinhardt@weinhardtlaw.com

nconverse@weinhardtlaw.com

July 21, 2022

Robyn Tousignant
Interim Executive Director
Partners in Nutrition dba Partners in Quality Care
1035 West 7th Street
St. Paul, MN 55102-3827

RE: Amended Notice of Hearing

Dear Ms. Tousignant:

On July 7, 2022, the Minnesota Department of Education (MDE) issued a hearing notice on the appeal filed by Partners in Nutrition dba Partners in Quality Care's (PIQC) regarding MDE-NPS's May 27, 2022 decision to terminate PIQC's permanent agreement and withhold all payments under the Child and Adult Care Food Program (CACFP).

On July 14, 2022 PIQC's counsel requested that the hearing set for July 25, 2022, at 1 p.m. be rescheduled due to counsel's scheduling conflict with the understanding that the due date for the Appeal Panel to issue a decision in this matter be extended by the appropriate number of days necessary to accommodate counsel's rescheduling request.

The Appeal Panel finds there is good cause to grant PIQC's request to reschedule. Hearing on this matter is now set for August 3, 2022 at 3 p.m. The Appeal Panel will issue a decision on or before August 12, 2022.

A link to the meeting will be forwarded to you by email before the hearing. Please contact Allison Loomis at allison.loomis@state.mn.us if you have any questions. Please advise Ms. Loomis before August 3, 2022, of the names and email addresses of those who will be attending on behalf of PIQC.

Sincerely,

A handwritten signature in black ink that reads 'Dr. Stephanie S. Burrage'.

Dr. Stephanie Burrage
Deputy Commissioner

Enc.: Appeal Procedure

Cc: Mark Weinhardt, Weinhardt Law Firm
Nathan Converse, Weinhardt Law firm
Monica Herrera, Director, Nutrition Program Services Division
File



Certified Mail – Return Receipt Requested

Email: robyn@partnersinqualitycare.org

mweinhardt@weinhardtlaw.com

nconverse@weinhardtlaw.com

August 16, 2022

Robyn Tousignant
Interim Executive Director
Partners in Nutrition dba Partners in Quality Care
1035 West 7th Street
St. Paul, MN 55102-3827

RE: Second Amended Notice of Hearing

Dear Ms. Tousignant:

On July 7, 2022, the Minnesota Department of Education (MDE) issued a hearing notice on the appeal filed by Partners in Nutrition dba Partners in Quality Care's (PIQC) regarding MDE-NPS's May 27, 2022 decision to terminate PIQC's permanent agreement and withhold all payments under the Child and Adult Care Food Program (CACFP).

On July 14, 2022, PIQC's counsel requested that the hearing set for July 25, 2022, at 1 p.m. be rescheduled due to counsel's scheduling conflict with the understanding that the due date for the Appeal Panel to issue a decision in this matter be extended by the appropriate number of days necessary to accommodate counsel's rescheduling request. On July 21, 2022, the MDE Appeal Panel issued the First Amended Notice of hearing, finding good cause to grant this request by rescheduling the hearing for August 3, 2022, at 3 p.m. and calculating the new decision issuance due date accordingly to fall on August 12, 2022.

On July 26, 2022, MDE-NPS informed the MDE Appeal Panel that its representative Emily Honer would not be available during the week of August 1 including the rescheduled hearing date, and requested that a new hearing date be set for the week of August 8, 2022 or later. On July 27, 2022, the MDE Appeal Panel proposed two additional hearings dates. On July 29, 2022, PIQC's counsel communicated to MDE-NPS Appeal Panel via email that he would be unavailable between August 5 and 24, 2022, and consented to any extension of the decision issuance due date as necessary to accommodate rescheduling of the hearing. MDE-NPS's counsel indicated that she would not be available August 25 through September 6, 2022.

In light of the above-described scheduling conflicts, MDE Appeal Panel has reached out to both sides with proposed time slots to determine a feasible date and time for the rescheduled hearing. By consensus via email

correspondence, the new hearing date has now been set for September 12, 2022, at 3:30 p.m. The Appeal Panel will issue a decision on or before October 14, 2022.

A link to the meeting will be forwarded to you by email before the hearing. Please contact Allison Loomis at allison.loomis@state.mn.us if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Dr. Stephanie S. Burrage". The signature is written in a cursive, flowing style.

Dr. Stephanie Burrage
Deputy Commissioner

Enc.: Appeal Procedure

Cc: Mark Weinhardt, Weinhardt Law Firm
Nathan Converse, Weinhardt Law firm
Monica Herrera, Director, Nutrition Program Services Division
File